

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-16027 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 3, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5104) and all other subsequent related applications and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/16/92	The City Council approved a Special Use Permit (U-0168-92) application for a 14-foot by 48-foot off-premise advertising (billboard) sign, at 2900 Sirius Avenue subject to a 5-year review. The Board of Zoning Adjustment and staff both recommended approval.
06/15/94	The City Council approved a Variance (V-0058-94) application to allow an off-premise advertising (billboard) sign to be located 600 feet from another off-premise advertising (billboard) sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.
11/10/97	The City Council approved a Required Five Year Review [U-0168-92 (1)] for 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue, subject to another 5-year review. The Planning Commission and staff both recommended approval.
02/19/03	The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue. The Planning Commission and staff both recommended approval on 11/21/02.
11/03/04	The City Council approved a General Plan Amendment (GPA-5097) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial); a Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial); Special Use Permit (SUP-5107) application for a proposed 50-story, 560-foot tall mixed-use development and a Site Development Plan Review (SDR-5104) for a 50-story mixed-use condominium project with 20,000 square feet of retail uses. The Planning Commission and staff recommended approval on 10/07/04.
10/04/06	The City Council will consider two related Extension of Time applications. Extension of Time (EOT-16026) of an approved Special Use Permit (SUP-5107) that allowed a 50-story, 560-foot tall mixed-use development and Extension of Time (EOT-16028) of an approved Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial).
<i>Related Building Permits/Business Licenses</i>	
	There is no building permit or business license information related to the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for an Extension of Time request.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for an Extension of Time request, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	5.25
Net Acres	4.32

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Scandia Amusement Center	C (Downtown - Commercial)	M (Industrial) Under Resolution of Intent to C-1 (Limited Commercial)
North	Offices	LI/R (Light Industrial/Research)	M (Industrial)
South	Vacant building	C (Downtown - Commercial)	M (Industrial) Under Resolution of Intent to C-1 (Limited Commercial)
East	R.O.W. (Right-of-Way)	R.O.W. (Right-of-Way)	R.O.W. (Right-of-Way)
West	Warehouses	LI/R (Light Industrial/Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance	X		

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5104). The Site Development Plan Review allowed a 50-story mixed use condominium project with 20,000 square feet of retail uses on 5.25 acres. The Site Development Plan Review and associated cases were approved by the City Council on 11/03/04. There was an associated General Plan Amendment (GPA-5097), Rezoning (ZON-5103) and Special Use Permit (SUP-5107) also approved. The applicant indicates that a new owner has acquired the subject property, which is evidenced by the County Assessor's Office. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design and construction process.

Conditions of Approval from Site Development Plan Review (SDR-5104)

Planning and Development

1. A General Plan Amendment (GPA-5097) to SC (Service Commercial), a Rezoning (ZON-5103) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-5107) for a proposed Mixed-Use Development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 08/24/04, except as amended by conditions herein.
4. The Waiver of the 50 percent maximum lot coverage standard is hereby approved.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within minimum 15-foot wide planters adjacent to Rancho Drive.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Landscape and maintain all unimproved right-of-way adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

13. Site development to comply with all applicable conditions of approval for ZON-5103 and all other subsequent site-related actions.
14. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed Mixed-Use project is adjacent to Interstate 15 on the east, offices on the north, and an auto dealership on the south. The western portion of the site is dominated by a large parking structure, which faces large warehouse buildings across Rigel Avenue. The twin towers will allow for spectacular views of the Las Vegas skyline. The nearest residential properties are approximately 800 feet to the northwest; they also abut industrial-type uses.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development is consistent with the General Plan and with most standards of Title 19 and the Landscape, Wall and Buffer Standards with the approved General Plan Amendment (GPA-5097) to SC (Service Commercial), a Rezoning (ZON-5103) to C-1 (Limited Commercial), and a Special Use Permit (SUP-5107) for a Mixed-Use Development on the site.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

A traffic study has been commissioned by the applicant showing that the development will not negatively impact traffic flows in the area. Primary access to the retail portion of the development will be from Rancho Drive. This street and Rigel Avenue will be able to accommodate the amount of traffic generated by the development.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements, with implementation of the conditions of approval.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed elevations and design of the structures create an orderly and pleasing environment, creating some visual interest in this neighborhood filled primarily with monolithic industrial buildings. As is required for mixed-use developments, the design of the development adequately separates the commercial and residential components. Its location next to an interstate highway and away from single-family residences makes this site compatible with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0